

REMARKS

Upon entry of this Amendment, claims 55 - 71 are pending. Claims 1 - 54 are cancelled without waiver or disclaimer. Pending independent claims include claims 55, 69, 70, and 71. Claims 1 - 15 and 47 - 54 stand rejected under 35 U.S.C. §103 as obvious in view of a combination of the teachings of US Patent 5,448,753 to *Ahl* and 6,907,246 to *Xu*.

Interview Summary

Applicant wishes to thank the Examiner for the courtesy extended in the in-person interview held September 2, 2010. Applicant and Examiner discussed terms well known in the art and terms used in the then pending claims including “pattern” as claimed and “antenna pattern” as in *Dent* (col. 2 line 54), and “subscriber platform” (e.g., for many subscribers, used by one subscriber, supporting many subscribers used by none, etc.). The Examiner considered a method for communication that merely improves bandwidth to be the subject matter of many patents. The Examiner understood, *inter alia*, that adding a cell phone tower or access point at a fixed location to an existing network conventionally involves manual operations in contrast with Applicant’s teachings of methods for a mobile platform to automatically join a network of mobile platforms. Applicant pointed out that automatic joinder is taught in the specification for any mix of fixed and/or mobile platforms. The Examiner remarked that facing sectors using different channels do not support communication in FIG. 3. Applicant explained and elaborates further below that FIGs. 6A, 6B, 7A, and 7B illustrate sectors for slave/user channels for users that are located within the region of each sector; and that slave/slave communication uses sector allocation patterns (not shown) with facing sectors on the same channel (see, *inter alia*, FIGs 12 A and 12B, p. 29 line 31 through p. 30 line 28). Tiling is described, *inter alia*, at p. 22 line 8 *et seq.*

Support For Claim Amendments

New claims 55 - 71 find support, *inter alia*, in the originally filed specification, drawing, and claims, for example, FIGs. 11 and 12 and their descriptions at page 26 line 10 through page 31 line 15.

Claim Amendments

Claims are amended to more clearly state what Applicant now desires to pursue as the invention. Changes in claim scope are due to Applicant's current view of the uncertain economies and business risks associated with potential future return on its investment in rights to protect the now recited invention. The claims after entry of this amendment may be broader than the claims that were examined.

Rejections

The rejections of record are traversed by cancellation of the rejected claims without waiver or disclaimer. The new claims distinguish over all art of record individually and in any combination, *inter alia*, because the following limitations are absent from the teachings of record:

- “tile” as recited in claims 55, 69, 70, and 71;
- “determining the identity of a tile an instance of which is in use by the neighbor platform” as recited in claims 55 and 69; and
- “receiving indicia of a first tile, a first instance of which is in use by a first neighbor

None of the other recited analogous method steps are found in any art of reference individually or in combination. The Examiner states in the Office Action that *Ahl* does not teach any of the steps of the method of claim 1. Logically, *Ahl* cannot teach any of the means for performing those steps as recited in the subscriber platform of claim 15. Applicant agrees with both positions.

No Admissions or Waiver

Applicant believes that a complete response has been made. Applicant may not have herein explicitly addressed every rejection and/or statement in the Examiner's Office Action. The fact that rejections and/or statements may not be herein explicitly addressed should NOT be taken as an admission and/or acquiescence of any sort. Applicant hereby reserves any and all

rights to contest such rejections and/or statements at a later time. Specifically, no waiver (legal, factual, or otherwise), implicit or explicit, is hereby intended.

Furthermore, the fact that argument, rebuttal evidence, or legal authority may not have been explicitly discussed during the course of prosecution should NOT be taken as an admission or waiver of any sort. Applicant hereby reserves any and all rights to discuss (e.g., make explicit, produce, or explain) such rebuttal evidence at a later time.

Conclusion

Reconsideration is respectfully requested. Applicant believes the case is in condition for allowance and respectfully requests withdrawal of the rejections and allowance of the pending claims.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Date: September 25, 2010

Respectfully submitted,
/ William R. Bachand /
William R. Bachand
Reg. No. 34,980

Bachand Law Office
P.O. Box 54244
Phoenix, AZ 85078
Phone: (602) 326-6237